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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE TESLA, INC. SECURITIES
LITIGATION

Case No. 3:18-cv-04865-EMC

**DECLARATION OF ADAM C.
MCCALL IN SUPPORT OF
PLAINTIFF'S REPLY IN FURTHER
SUPPORT OF MOTION FOR
PARTIAL SUMMARY JUDGMENT**

I, ADAM C. MCCALL, hereby declare as follows:

1. I am an associate at Levi & Korsinsky, LLP, attorneys for Plaintiff Glen Littleton in the above-captioned action. I make this declaration in support of Plaintiff's Reply in Further Support of Motion for Partial Summary Judgment. I am admitted to practice before this Court. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. Attached hereto are true and accurate excerpts from the following depositions taken in this action as set forth below:

<u>Witness</u>	<u>Deposition Date</u>
Deepak Ahuja	August 5, 2021
Robyn Denholm	October 5, 2021
Egon Pierre-Durban	September 7, 2021
Joseph Fath	July 12, 2021
Elon Musk	November 5, 2021
Sam Teller	August 11, 2021

3. Attached hereto are true and accurate excerpts from testimony obtained by the United States Securities and Exchange Commission in connection with its investigation in the matter of Tesla Motors, Inc., produced in discovery in this action as set forth below:

<u>Witness</u>	<u>Deposition Date</u>	<u>Exhibit Number</u>
Elon Musk	August 29, 2018	330
Samuel Teller	August 28, 2018	SEC-EPROD-000017196-17509

4. Attached hereto are true and accurate copies of the following exhibits marked during depositions in the course of discovery:

Exhibit #	Document Date	Exhibit Description	Bates Range
14	8/8/2018	Email from Ryan Brinkman to EQR - Approval Request, Re: Request approval to raise Tesla (TSLA) price target by	JPMS_000016045- JPMS_00016047

		+58%	
41	8/7/2018	Email from Joseph Fath (TRowe) to Robert Marcotte and others at TRowe, Re: TSLA (Tesla) Updates	TRP_000002
107	2/22/2017	Email from Yasir AlRumayyan (PIF) to Elon Musk, Re: OpenAI Funding	TESLA_LITTLETON_00003900- TESLA_LITTLETON_00003901
149	8/7/2018	Email from Nasdaq to Aaron Chew and Martin Viecha re trading resuming	TESLA_LITTLETON_00006610
194	8/16/2018	Email from Egon Durban to Steve Rosenblum (WLRK) and Mark Kim (MTO); Cc: Elon Musk; Sam Teller; Dan Dees and other GS people re investor outreach list	SL_3P00000306
204	8/7/2018	Email from Ilene Taylor (Nasdaq) to Aaron Chew re Elon tweets / trading halt	TESLA_LITTLETON_00006615- TESLA_LITTLETON_00006616
265	8/15/2018	Email from Dan Dees to Orbit Drive, FW: Titanium Materials. ATTACHMENT: 2018-08-15 Project Titanium Discussion Material by GS	SEC-EPROD-000005826-SEC- EPROD-000005837

5. Attached hereto as **Exhibit R** is a true and accurate copy of an August 14, 2018 analyst report published by Morningstar Digest titled “Tesla Buyout Looks Likely to Us, but Timing and Structure Uncertain.”

6. Attached hereto as **Exhibit S** is a true and accurate copy of an August 7, 2018 analyst report published by RBC Capital Markets titled “On Tesla \$420.”

7. Attached hereto as **Exhibit T** is a true and accurate copy of an August 7, 2018 analyst report published by Morningstar Equity Research titled “Musk Tweets Tesla May Go Private at \$420 a Share but Stockholders May Not Have to Sell at That Price.”

8. Attached hereto as **Exhibit U** is a true and accurate copy of an August 7, 2018 analyst report published by Bank of America Merrill Lynch titled “Shorts may be burned for now ... but buyer beware.”

9. Attached hereto as **Exhibit V** is a true and accurate copy of the November 8, 2021 report of Daniel R. Fischel.

10. Attached hereto as **Exhibit W** is a true and accurate copy of the December 8, 2021 report of Daniel R. Fischel.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 15th day of February, 2022.

s/ Adam C McCall
Adam C. McCall